



Linda S. Adams
Secretary for
Environmental Protection

California Regional Water Quality Control Board
North Coast Region
William R. Massey, Chairman

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Arnold
Schwarzenegger
Governor

September 14, 2006

Mr. Ron Benkert
Sonoma County Water Agency
P.O. Box 11628
Santa Rosa, CA 95406

Dear Mr. Benkert:

Subject: Notice of Coverage, Waiver of Waste Discharge Requirements for Minor Dredging and Fill Activities, for the Sonoma County Water Agency, Bloomfield Channel Sediment Removal Project, Sonoma County

File: Sonoma County Water Agency, Bloomfield Channel Sediment Removal Project (WDID No. 1B06074WNSO)

This letter provides notice that certain proposed activities are covered by the Waiver of Waste Discharge Requirements for Minor Dredging and Fill Activities (Waiver), which was adopted pursuant to California Water Code Section 13269 by the California Regional Water Quality Control Board, North Coast Region, (Regional Water Board) in Resolution 2002-0080. On May 23, 2006, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Ken Schwarz of Jones & Stokes, on behalf of the Sonoma County Water Agency (SCWA), requesting a Water Quality Certification and/or Waste Discharge Requirements for the SCWA Bloomfield Channel Sediment Removal Project (Project) in Sonoma County. The Project will impact Waters of the State associated with the Estero Americano Hydrologic Sub Area No. 115.30, Bodega Hydrologic Unit No. 115.00.

The Regional Water Board received an application and processing fee in the amount of \$500.00 on May 23, 2006. On June 22, 2006, the Regional Water Board sent an incomplete application letter requesting additional information. On August 10, 2006, the Regional Water Board received additional information from Jones & Stokes. On September 7, 2006, the Regional Water Board received all required information and the Project application was deemed complete.

Information describing the proposed Project was noticed for public comment on the Regional Water Board's website on September 15, 2006. Under Title 23, California

California Environmental Protection Agency

Recycled Paper

Code of Regulations, Section 3858(a): "The executive director or the executive officer with whom an application for certification is filed shall provide public notice of an application at least twenty-one (21) days before taking certification action on the application, unless the public notice requirement has been adequately satisfied by the applicant or federal agency. If the applicant or federal agency provides public notice, it shall be in a manner and to an extent fully equivalent to that normally provided by the certifying agency. If an emergency requires that certification be issued in less than 21 days, public notice shall be provided as much in advance of issuance as possible, but no later than simultaneously with issuance of certification." Due to the urgent nature of this project and to avoid an associated emergency, Waiver of Waste Discharge Requirements for Minor Dredging and Fill Activities, will be issued during the 21-day public comment period. Public comments will still be accepted and reviewed during the entire 21-day comment period, and the certification may be modified.

Project Description: The Project is located on Bloomfield Channel, near Bloomfield Road and Valley Ford Road, in the town of Bloomfield, Sonoma County, California. (APN 027-145-005, latitude 38.62374825190, longitude -122.89361491000)

The purpose of the Project is to remove accumulated sediment from the Bloomfield Creek in-channel concrete structure. The Project is necessary to restore hydraulic capacity to previous conditions and to prevent possible flooding of adjacent homes and properties. The Project will consist of removal of approximately 800 cubic yards of sediment from the Bloomfield Channel concrete in-channel structure and box culvert structure.

Bloomfield Creek is an intermittent stream and dries out during summer months. Because activities would be conducted during the dry season, no dewatering will be required. Sediment will be removed from the in-channel structure using an excavator from the adjacent top of bank staging area, outside the channel. To remove sediment from inside the box culvert bridge, a small backhoe or bulldozer (e.g. Bobcat) will be lowered onto the concrete structure. No equipment will be placed within the natural channel. Excavated material will be placed directly on to the adjacent disposal site. Staging will occur in the parking lot of Stormy's Bloomfield Tavern, adjacent to the northern edge of the channel. Excavated material will be disposed of on the western portion of the Stormy's Tavern parcel. Because the Project involves the discharge of waste that may affect Waters of the State, the Regional Water Board has regulatory jurisdiction under Water Code Section 13260.

Receiving Water: Waters of the State associated with Bloomfield Channel, a tributary of the Estero Americano in the Estero Americano Hydrologic Sub Area No. 115.30, Bodega Hydrologic Unit No. 115.00.

Filled or
Excavated Area:
sediment Total Area/volume Impacted: 800 cubic yards excavated
Area Permanently Impacted: 0.0 acres

State and Local
Approvals: A 1602 Streambed Alteration Agreement has been applied for from the California Department of Fish and Game (DFG), Routine Maintenance Agreement, Notification Number 1600-2006-0245-3.

Compensatory Mitigation: Compensatory mitigation for this project is not required.

Non-compensatory
Mitigation: Non-compensatory mitigation measures include the use of standard Best Management Practices (BMPs), for erosion control, as well as construction schedules that avoid wet periods. Project construction will take place during the dry months. Temporary silt fencing, seeding and mulching, and other appropriate BMPs will be incorporated to minimize the risk of soil mobilization and sediment transport during construction. In addition, special precautions, including a pre-construction briefing of the work crew, will occur to avoid disturbance to any special status species potentially occurring on site. No monitoring and reporting program will be required.

CEQA Compliance: The Regional Water Board, as the lead California Environmental Quality Act (CEQA) agency, has determined the Project qualifies for Categorical Exemption, Section 15301 – Existing Facilities, pursuant to the CEQA guidelines.
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General Waiver
of Waste Discharge
Conditions: The following is a partial listing highlighting selected standard provisions from Resolution 2002-0080:

1. "The Applicant shall comply with all applicable provisions of the Water Quality Control Plan for the North Coast Region."
2. "The Applicant shall discharge only in accordance with the submitted Report of Waste Discharge or equivalent (i.e., the Application)."
3. "The Project shall not create a pollution, contamination, or a nuisance, as defined by California Water Code Section 13050."
4. "There shall be no discharge of any waste not specifically regulated by waivers in Resolution 2002-0080."
5. "The Applicant shall allow Regional Water Board staff reasonable access onto the affected property for the purpose of performing an inspection to determine compliance with waiver conditions."

Additional Waiver
of Waste Discharge
Conditions:

The following from Resolution 2002-0080 apply specifically to dredge and fill activities:

"The Applicant shall comply with the following additional conditions:

1. Discharges shall be non-toxic, short-term, discharges to land.
2. The Project shall not result in a net loss of wetlands or beneficial uses.
3. This Notice of Coverage is valid only if operations are not being covered by General Waste Discharge Requirements."

Applicability of Waiver
of Waste Discharge
Requirements:

The proposed construction activity meets the eligibility criteria for the Waiver and, if constructed as described in the application and in compliance with the above-listed conditions, the Project will adhere to applicable water quality standards. No monitoring and reporting program is required,

as it is not in the public interest. Therefore, I have determined that the Project is covered by the Waiver.

Expiration: This notice of coverage expires upon completion of the Project or on September 15, 2008, whichever occurs first.

Please be aware that a failure to implement the Project according to the project description and other information submitted in the application may result in the revocation of this notice of coverage and the initiation of formal enforcement proceedings as authorized by provisions of the California Water Code.

Enclosed is a copy of the Waiver Policy for Minor Dredging and Fill Activities. Please notify Stephen Bargsten of our staff at (707) 576-2653 before Project construction begins so that we can answer any public inquiries about the work.

Sincerely,



Catherine E. Kuhlman
Executive Officer

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Enclosure: Waiver Policy (Res. 2002-0080)

cc: Mr. Oscar Balaguer, SWRCB, 401 Program Manager

Mr. Bill Cox, California Department of Fish and Game, Region 3, P.O. Box 47,
Yountville, CA 94599

Mr. Ken Schwarz, Jones & Stokes, 268 Grand Avenue, Oakland, CA 94610-4724

Ms. Samantha Olson, SWRCB, Office of the Chief Counsel